

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

CHRISTOPHER C JOHNSON.,) Case No: 3:25-cv-05008-JHC

Plaintiff,

COMPLAINT

vs.

AMERICOLLECT, INC.

Defendant.

Jury Trial: Yes

INTRODUCTION

1. This is a civil action for actual, and statutory damages and cost brought by Christopher C. Johnson hereinafter, ("Plaintiff") an individual consumer, against defendant, AmeriCollect, INC. hereinafter ("Defendant") for violations of the Fair Credit Reporting Act, 15 U.S.C § 1681 et seq. (hereinafter "FCRA").

BASIS OF JURISDICTION

2. Jurisdiction of this court arises under 15 U.S.C § 1681(p), and 28 U.S. C § 1331.

1 Venue is proper in this judicial district pursuant to 28 U.S.C. 1391(6)(1) and 28 U.S.C. §
2 1391 (b)(2) because a substantial part of the events, omissions, or conduct giving rise to Plaintiff
3 claim occurred in this judicial district. Defendant transact business in Pierce County, Puyallup,
4 Washington.

5
6
7 **PARTIES**

8
9 3. Plaintiff, Christopher C Johnson is a natural person and consumer as defined by 15
10 U.S.C. § 1681a(c), residing in Puyallup, WA.

11
12 4. Upon information and belief, Americollect, INC. is a Wisconsin corporation.
13 Americollect, INC accepts service of process through its registered agent Corporation Service
14 Company 33 E Main Street STE 610, Madison, WI 53703-4655.

15
16 5. The acts of Defendants as described in this Complaint were performed by Defendants
17 or on Defendant's behalf by its owners, officers, agents, and/or employees acting within the
18 scope of their actual or apparent authority. As such, all references to "Defendants" in this
19 Complaint shall mean Defendants or their owners, officers, agents, and/or employees.

20
21
22 **FACTUAL ALLEGATIONS**

23 ***Existence of a Consumer Report***

1 6. On or about 12/28/2024 a consumer report pertaining to Plaintiff was generated and
2 maintained by Experian a consumer reporting agency as defined by 15 U.S.C. § 1681a(f).

3 ***Defendant's Access to the Consumer Report***

4 7. In the report the Plaintiff observed an unauthorized inquiry from Defendant.

5
6 8. Defendant accessed Plaintiff's consumer report from Experian on 11/12/2024. See
7 Exhibit A.

8
9 ***Lack of Permissible Statutory Purpose***

10
11 9. Defendant accessed Plaintiff's consumer report without a permissible purpose, as
12 required by 15 U.S.C. § 1681b(f).

13
14 10. Discovery will show plaintiff had no existing business relationship, contractual
15 obligation, or any other transaction with Defendant that would allow for such an inquiry under
16 15 U.S.C. § 1681b(a)(3)(A) or any other provision.

17
18 11. Discovery will show that Defendant was neither retained by a creditor with whom
19 Plaintiff had initiated a transaction nor involved in any collection activities pertaining to a debt
20 initiated by Plaintiff, thus failing to establish a permissible purpose for accessing Plaintiff's
21 consumer report.

1 12. Upon accessing Plaintiff's consumer report, Defendant did not take any follow-up
2 actions, such as sending a collection notice, thereby indicating a lack of permissible purpose for
3 the inquiry.

4
5 13. Discovery will show Plaintiff never initiated a consumer credit transaction with
6 Defendants nor had an account with the defendants.

7
8
9 14. Discovery will show Plaintiff never gave any consent to Defendants to access his
10 consumer report.

11 ***Requisite Mental State (Willfulness)***

12 15. Defendant was aware or should have been aware of their obligations under the FCRA
13 to access consumer reports only for permissible purposes.

14
15 16. Discovery will show despite this knowledge, Defendant intentionally or recklessly
16 disregarded their obligations under the FCRA and did not verify a purported debt or take other
17 actions that would constitute a permissible purpose for accessing Plaintiff's consumer report.

18
19 17. Discovery will show Defendant violation was not isolated but part of a pattern or
20 practice, as evidenced by multiple consumer complaints lodged against the company for similar
21 unauthorized access to consumer reports further demonstrating willfulness.

22
23 ***Damages***

1 18. Plaintiff's injury is "particularized" and "actual" in that the conduct that deprived
2 Plaintiff of his rights was directed by Defendants to Plaintiff specifically.

3
4 19. Plaintiff's injury is "particularized" and "actual" in that the Plaintiff has suffered
5 emotional distress from the Defendants unauthorized access of his credit report.

6
7 20. Plaintiff's injury is "particularized" and "actual" in that the Plaintiff has suffered an
8 invasion of his privacy. This intrusion into the Plaintiffs personal information has caused a
9 feeling of vulnerability, worry and anxiety which lead to sleeplessness and headaches.

10
11 21. Plaintiff's injury is "particularized" and "actual" in that the Plaintiff has suffered fear
12 and anger over the invasion of his privacy.

13
14 22. Plaintiff's injury is "particularized" and "actual" in that the Plaintiff has suffered loss
15 of time into research and learning to defend against the invasion of privacy.

16
17 23. Plaintiff's injury is directly traceable to defendant's conduct because if it weren't for
18 the defendant's conduct, Plaintiff would not have been deprived of his rights and would not have
19 been subject to the emotional distress, anxiety, worry and invasion of privacy caused by the
20 defendant's actions.

21
22 24. The deprivation of Plaintiff's rights will be redressed by a favorable decision
23 herein.

1 25. A favorable decision herein would redress Plaintiff's injury with money damages.

2
3 26. A favorable decision herein would serve to deter Defendants from further similar
4 conduct.

5
6 **COUNT 1 VIOLATION OF THE FAIR CREDIT REPORTING ACT**
7 **15 U.S.C § 1681b(f) DEFENDANT AMERICOLLECT INC**

8 27. All preceding paragraphs are realleged.

9
10 28. On or about 12/18/2024 a consumer report pertaining to Plaintiff was generated and
11 maintained by a consumer reporting agency as defined by 15 U.S.C. § 1681a(f).

12
13 29. Defendant accessed Plaintiff's consumer report on or about 11/12/2024.

14
15 30. Defendant accessed Plaintiff's consumer report without a permissible purpose as
16 required by 15 U.S.C. § 1681b(f).

17
18 31. Plaintiff had no existing business relationship, contractual obligation, or any other
19 transaction with AMERICOLLECT INC that would allow for such an inquiry under 15 U.S.C. §
20 1681b(a)(3)(A) or any other provision.

21
22 32. Defendant was neither retained by a creditor with whom Plaintiff had initiated a
23 transaction nor involved in any collection activities pertaining to a debt initiated by Plaintiff,
24 thereby failing to establish a permissible purpose for accessing Plaintiff's consumer report.

1
2 33. Defendant was aware or should have been aware of their obligations under the FCRA
3 to access consumer reports only for permissible purposes.
4

5 34. Despite this knowledge, Defendant intentionally or recklessly disregarded their
6 obligations under the FCRA and did not verify the purported debt or take other actions that
7 would constitute a permissible purpose for accessing Plaintiff's consumer report.
8

9 35. Defendant actions were not isolated but part of a pattern or practice, further
10 demonstrating willfulness.
11

12 36. As a direct result of Defendant violation of 15 U.S.C § 1681b(f), Plaintiff has
13 suffered actual damages and/or is entitled to statutory damages, as provided by 15 U.S.C §
14 1681n(a) and 1681o.
15

16 **COUNT II: INVASION OF PRIVACY (INTRUSION ON SECLUSION)**
17 **DEFENDANT AMERICOLLECT INC**

18 37. In the alternative, without waiving any of the other causes of action herein, without
19 waiving any procedural, contractual, statutory, or common-law right, and incorporating all other
20 allegations herein to the extent they are not inconsistent with the cause of action pled here,
21 Defendant is liable to Plaintiff for invading Plaintiff's privacy (intrusion on seclusion).
22 Defendant intentionally intruded on Plaintiff's solitude, seclusion, or private affairs, and such
23 intrusion would be highly offensive to a reasonable person.
24

1 38. Defendant invaded the privacy of the Plaintiff when they willfully accessed the
2 Plaintiffs consumer report without a permissible purpose.

3
4 39. Plaintiff suffered actual damages of invasion of privacy as a result of Defendants
5 intrusion.

6
7
8 **JURY DEMAND AND PRAYER FOR RELIEF**

9
10 Wherefore, Plaintiff Christopher C. Johnson, respectfully demands a jury trial and
11 request that judgment be entered in favor of the Plaintiff against the Defendants for:

12
13 (a) Actual damages, statutory damages, for violations of 15 U.S.C § 1681b(f), as
14 provided by 15 U.S.C §1681n(a) and 1681o.

15 (b) Actual damages for Invasion of Privacy (Intrusion on Seclusion)
16

17 **CERTIFICATION AND CLOSING**

18 Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my
19 knowledge, information, and belief that this complaint: (1) is not being presented for an
20 improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the
21 cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for
22 extending, modifying, or reversing existing law; (3) the factual contentions have
23 evidentiary support or, if specifically, so identified, will likely have evidentiary support
24 after a reasonable opportunity for further investigation or discovery; and (4) the
complaint otherwise complies with the requirements of Rule 11.

I agree to provide the Clerk's Office with any changes to my address where case-related
papers may be served. I understand that my failure to keep a current address on file with
the Clerk's Office may result in the dismissal of my case.

1 Date: 1-3-2025

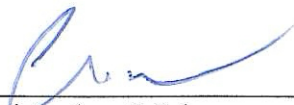
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4 
5 Christopher C Johnson
6 5613 121st Street Court E #1
7 Puyallup, WA 98373
8 cejay80@gmail.com
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EXHIBIT A

12/28/24, 2:18 PM

Experian

AMERICOLLECT**INC**

Inquired on

11/12/2024

1851 S ALVERNO

RD,

MANITOWOC WI

54220

CAPITAL ONE

Inquired on

12/11/2024

15000 CAPITAL

ONE DR,

RICHMOND VA

23238

CONSUMERINFO**.COM**

Inquired on

09/27/2024 and

08/14/2024

475 ANTON

BLVD,

COSTA MESA CA

92626

CREDIT KARMA

Inquired on

12/27/2024,

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